



PATENT
600-1-259

1651
#8
NB
03/28/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : MUIR AND COTTON
SERIAL NO. : 09/483,543 EXAMINER : J. WEBER
FILED : JANUARY 14, 2000 ART UNIT : 1651
FOR : MULTIPLE SENSOR-CONTAINING ACTIVE MODIFIED
POLYPEPTIDES, PREPARATION AND USES THEREOF

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

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(Name of Registered Representative)

Betty Schutt 3/15/01
(Signature and Date)

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

The following amendments and remarks are responsive to the requirement for restriction mailed February 14, 2001, due for a response on March 16, 2001.

REMARKS

The Examiner has required restriction to one of the following Groups:

- I. Claims 1-15, drawn to a FRET peptide;
- II. Claims 16-17, 34-37, drawn to a method of detecting changes in FRET peptide;
- III. Claims 18-29 and 38-39, drawn to a method of identifying modulators of FRET peptide activity;
- IV. Claims 30-32, drawn to a method of making a FRET peptide;
- V. Claim 33, drawn to a peptide of SEQ ID NO: 5;
- VI. Claims 40-49, drawn to a method of identifying modulators of kinase; and
- VII. Claim 50, drawn to a peptide of SEQ ID NO: 9.

Before making the election, Applicants believe that claim 15 properly belongs in Group II rather than Group I (as it is the independent claim on which claims 16 and 17 in

Group II depend), and thus Applicants in making the following election assume that Group I includes claims 1-14, and Group II includes claims 15-17 and 34-37.

Applicants hereby elect Group I, claims 1-14, drawn to a FRET peptide, but respectfully traverse the requirement and request that the claims in Groups V (claim 33) and VII (claim 50) be included in the elected group. Applicants respectfully point out that these are two examples of dual-sensor-containing molecules, which include the sensors, as described on page 10, lines 5-6, and thus are particular embodiments of the compositions described in the claims of Group I. The composition of SEQ ID No:8 (Figure 5A) is already represented in Group I as dependent claim 13.

Fees

No fees are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or to credit any overpayments.

CONCLUSION

Examination on the merits is respectfully requested.

Respectfully submitted,



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